

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DISH NETWORK L.L.C.,

Plaintiff,

V.

DOE 1 d/b/a ZemTV, Does 2-4,
individually and together d/b/a
www.tvaddons.ag, www.tvaddons.org, and
www.streamingboxes.com,

Defendants.

Civil Action No. _____

**LETTER OF REQUEST FOR INTERNATIONAL ASSISTANCE FROM THE UNITED
KINGDOM TO OBTAIN CERTAIN DOCUMENTS FROM IOMART HOSTING LTD.
PURSUANT TO THE HAGUE CONVENTION ON THE TAKING OF EVIDENCE
ABROAD IN CIVIL OR COMMERCIAL MATTERS**

The United States District Court for the Southern District of Texas, through the undersigned District Court Judge, requests international assistance to obtain evidence to be used in a civil proceeding before this Court in the above-captioned case.

If any portion of this Request is deemed to be unacceptable under the laws of the United Kingdom, please disregard that portion and continue to comply with as much of the Request as is legally permissible. The Court is willing and able to provide similar assistance to the judicial authorities of the United Kingdom should a similar request for international assistance be received from the courts of the United Kingdom.

I. GENERAL INFORMATION

- Sender:** Office of the Clerk
United States District Court for the
Southern District of Texas, Houston Division
515 Rusk Avenue
Houston, TX 77002, USA
- Central Authority of the Requested State:** Scottish Government Justice Directorate
Central Authority & International Law Team

St. Andrew's House (GW15)
Edinburgh EH1 3DG
Scotland, UK

3. **Person to whom the Executed Request is to be Returned:**
Stephen M. Ferguson
Hagan Noll & Boyle LLC
Two Memorial City Plaza
820 Gessner, Suite 940
Houston, Texas 77024
Phone: (713) 343-0478
Facsimile: (713) 758-0146
Email: stephen.ferguson@hnbllc.com
Counsel for Plaintiff DISH Network L.L.C.
4. **Specification of the date By which the requesting Authority requires receipt Of the response to the Letter of Request:**
As soon as possible, and in any event not later than July 24, 2017.

Reason for urgency: Plaintiff DISH Network needs information sufficient to identify Defendant Doe 1 so they can be named in the lawsuit and it can proceed.

II. IN CONFORMITY WITH ARTICLE 3 OF THE HAGUE CONVENTION, THE UNDERSIGNED APPLICANT HAS THE HONOR TO SUBMIT THE FOLLOWING REQUESTS :

1. **Requesting Judicial Authority:**
United States District Court for the
Southern District of Texas, Houston Division
515 Rusk Avenue
Houston, TX 77002, USA
2. **Competent Authority:**
Scottish Government Justice Directorate
Central Authority & International Law Team
St. Andrew's House (GW15)
Edinburgh EH1 3DG
Scotland, UK
3. **Names and Addresses Of Parties and Their Representatives:**

Plaintiff:
DISH Network LLC

Defendants:
Does 1-4 d/b/a ZemTV, www.tvaddons.ag,
www.tvaddons.org, and www.streamingboxes.com

Plaintiff's Representatives:

Stephen M. Ferguson
Joseph H. Boyle
Hagan Noll & Boyle, LLC
Two Memorial City Plaza
820 Gessner, Suite 940
Houston, TX 77024
(713) 343-0478 – Tel
(713) 758-0146 – Fax
stephen.ferguson@hnblc.com
joe.boyle@hnblc.com

Defendants' Representatives:

Unknown. Defendants have not made an appearance.

4. **Nature of the Proceedings:** This is a civil suit seeking money damages and permanent injunctive relief. DISH Network asserts copyright infringement claims against Defendants who are capturing broadcasts of television channels exclusively licensed to DISH Network in the United States and unlawfully retransmitting those channels over the Internet to customers of the ZemTV service in the United States and who have downloaded the ZemTV add-on for the Kodi media player from the websites www.tvaddons.ag and www.tvaddons.org.
5. **Summary of Defense:** Unknown. Defendants have not appeared in the case.
6. **Evidence to be obtained:**

This request is directed to iomart Hosting Ltd., Lister Pavillion, Kelvin Campus, West of Scotland Science Park, Glasgow G20 0SP, United Kingdom. DISH Network seeks the following documents from iomart Hosting Ltd.:

Definitions Applicable To Document Requests

1. **iomart Customer.** "iomart Customer" means each person or entity assigned or otherwise responsible for each of the following IP addresses:
 - a. **130.185.144.63** from October 2, 2016 through May 24, 2017;
 - b. **130.185.144.67** from March 22, 2017 through May 24, 2017;
 - c. **130.185.144.109** from January 12, 2017 through May 5, 2017;
 - d. **80.84.51.226** from November 23, 2016 through May 11, 2017;
 - e. **88.150.198.114** from August 9, 2016 through November 4, 2016;
 - f. **88.150.206.73** from September 1, 2016 through November 4, 2016;
 - g. **79.143.83.90** from August 9, 2016 through October 2, 2016; and
 - h. **37.220.29.186** from August 9, 2016 through November 4, 2016.

Document Requests

1. Documents sufficient to identify the full name, contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers), and IP addresses of each iomart Customer.
2. Documents submitted to you in order to create or make changes to each account associated with each iomart Customer.
3. Account statements for each account associated with each iomart Customer for the time period of February 1, 2014 to present.
4. Payment records for each account associated with each iomart Customer for the time period of February 1, 2014 to present.
5. Communications sent to or received from each iomart Customer, including account set-up correspondence and support tickets, for the time period of February 1, 2014 to present.
7. **Documents or other property**
To be produced: See documents listed in the section entitled "Evidence to be obtained".
8. **Special methods or procedures:** DISH Network requests that the documents and materials responsive to the categories of information identified above be emailed (if possible) or copied and mailed to Stephen M. Ferguson at the address identified in Section II.3 above. DISH Network shall pay the fees and costs incurred that are reimbursable. Please direct requests for payment to DISH Network's representatives, identified above in Section 3.

DATE OF REQUEST: JUNE 19, 2017



District Court Judge
United States District Court
Southern District of Texas

(SEAL OF COURT)

Authenticated Signature by Clerk of the Court:

DAVID BRADLEY, Clerk of the Court

By: By The
Deputy Clerk

Court's Authentication that the Clerk of Court is the Clerk of Court:

By: Carroll E. Moore
UNITED STATES DISTRICT JUDGE